



सत्यमेव जयते

# The Gujarat Government Gazette

**EXTRAORDINARY**  
**PUBLISHED BY AUTHORITY**

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**Vol. LXV ] THURSDAY, JULY 18, 2024 / ASHADHA 27, 1946**

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

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## **PART IV-A**

**Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Central Acts**

### **REVENUE DEPARTMENT**

#### **NOTIFICATION**

Sachivalaya, Gandhinagar, 16<sup>th</sup> July, 2024

#### **REGISTRATION ACT, 1908.**

**No. GM/2024/166/RD/REA/e-file/15/2024/0395(1)/H.1(Stamps) :-** The following rules made by the Inspector General of Registration for the State of Gujarat, in exercise of the powers conferred upon him by clause (k) of sub-section (1) of section 69 of the Registration Act, 1908 (XVI of 1908) and in supersession of all the rules made in this behalf, having been approved by the Government of Gujarat in exercise of the powers conferred by sub-section (2) of section 69 of the said Act, are hereby published for general information, namely:-

**1. Short title and commencement.-**

- (1) These rules may be called the Gujarat e-Registration Rules, 2024.
- (2) They shall come into force on the date of their publication in the Official Gazette.

**2. Definitions.-**

- (1) In these rules, unless the context otherwise requires,-
  - (a) "Act" means the Registration Act, 1908 (XVI of 1908);
  - (b) "e-Registration" means online or electronic registration of documents;
  - (c) "e-Registration module" means a software module for e- registration under these rules;
- (2) The words and expressions used but not defined herein shall have the same meaning as are respectively assigned to them in the Act and the Information Technology Act, 2000 (21 of 2000).

- 3. (1)** The documents eligible for e-Registration shall be specified by the Inspector General of Registration in accordance with the law.

- (2) The e-Registration process shall be established and maintained by the Inspector General of Registration to facilitate the online or electronic registration of documents.
  - (3) The online or electronic document submission shall comply with the format and technical specifications provided by the Inspector General of Registration.
  4. The parties shall be allowed to append the document, provided that such attachment shall not affect the stamp duty or the authenticity of the document. On completion of the data entry, the document so created shall be displayed on the screen. The parties, if required, may edit the document, at the stage of submission. No editing shall be permissible after submission.
  5. For the purpose of e-Registration under these rules, -
    - (a) affixing of electronic signature, capturing of biometric thumb print and capturing of digital photo through the software module, shall be mandatory for all executants and claimants whenever and wherever necessary by the law; and also affixing of electronic signature and capturing of digital photo of the attesting witnesses through the software module shall be necessary, wherever required by the law;
    - (b) Permanent Account Number or Unique Identification Number or any other identification or document number which may be decided by the Inspector General of Registration regarding each executing and claiming party, shall be mandatory to prove his identity through online system.
- Note -** In cases of Aadhaar based authentication (e-kyc), fingerprints shall not be displayed in the document. But the only mark shall be displayed.
6. The registration process shall not proceed unless all the mandatory information is filled in while registering the specific document.
  7. The online submission can be made at any time (24\*7 hours), but the time for registration shall be office working hours.
  8.
    - (1) Every party shall be responsible for cross verification of the identity of the other parties. It shall be always presumed that, the parties affixing the electronic signatures are known to each other and have themselves confirmed that, each party has valid authority and right to execute the document.
    - (2) The act of affixing a signature to the document by the executant and claimant shall always be considered as both executing the document and admitting of its execution.
    - (3) The act of affixing a signature to the document by the attesting witness shall be considered as attestation of the document.
  9. While accepting the document for registration, the Sub-Registrar shall ascertain that, -
    - (a) the document fulfils the conditions, specified under the Act, rules, circulars and notifications framed thereunder;
    - (b) the stamp duty, registration fees and any other fees/charges are duly paid;
    - (c) the registration of the document is not inconsistent with any of the provisions of the Act, and rules framed thereunder;
    - (d) the registration of the document is not prohibited by any existing law, order of the court or order of any Competent Authority.
  10.
    - (1) If on scrutiny of the document, it is found that, there is no prima-facie objection for the registration of the document, it shall be registered.
    - (2) The Sub-Registrar shall electronically endorse the document with the date and time stamp.
    - (3) After successful registration, the e-registration module shall generate the electronic registration certificate with unique identification number, date and time stamp.
    - (4) The Registered documents and certificates shall be made available to the parties electronically.
  11. If on scrutiny of the document, it is found that there is anything objectionable for the registration of the document, the objection shall be conveyed, within stipulated time which is decided by the Inspector General of Registration.

The parties will have to comply with the objection raised. If the compliance is satisfactory, the document shall be registered and conveyed to the parties as provided in these rules.

12. If the parties fail to make a satisfactory compliance within ten (10) days of raising objection, the e-Registration shall be rejected.

**“Explanation.-** For the purpose of this rule, while counting the period of ten days, the day on which objection is raised shall be excluded.”

13. The request for search or certified copies of the e-Registration shall be made online only. The necessary stamp duty, registration fee and any other fees/charges required to be paid shall be paid online. The search and the certified copies shall be made available online only.
14. The discrepancies, if any, regarding payment of stamp duty, registration fee or other fees/charges shall always be subject to recovery by the appropriate authority and it shall be bound to the concerned parties.
15. All the provisions of the Act, the Gujarat Stamp Act, 1958 and rules framed thereunder shall apply to the documents registered under these rules also.
16. (1) The stamp duty or registration fees for e-Registration shall be the same as provided under the Gujarat Stamp Act, 1958 and the Table of Fees specified under section-78 of the Act, respectively.
- (2) The registration fees, stamp duty and any other applicable fees/charges shall be paid electronically through the designated payment gateway or electronic transfer.
- (3) A receipt of the transaction shall be generated and made available to the party.
- (4) The e-Registration module shall provide a schedule of fees, stamp duty and any other applicable fees/charges, and the parties shall ensure the timely payment of the same.
17. Any attempt to provide false information, tamper with documents, impersonation or engage in fraudulent activity in the online registration process shall be subject to penalties as per the law, including the refusal of registration and legal action.
18. (1) The disputes arising from e-Registration shall be resolved in accordance with the dispute resolution mechanisms established by the Inspector General of Registration.
- (2) The Inspector General of Registration has the authority to resolve any question that arises regarding these rules and the e-Registration process.
19. The e-Registration shall have the same legal validity as traditional paper based Registration processes.
20. The Inspector General of Registration shall retain a secure electronic record of all the registered documents in accordance with the Act, rules and regulations.
21. The Inspector General of Registration shall maintain an electronic audit trail of all the registration activities, including document submissions, endorsements and access.

By order and in the name of the Governor of Gujarat,

**PRERAK J. PATEL,**

Deputy Secretary to Government.

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